IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 6343 OF 2007

Mahesh Gangaram Madval & ors.... Petitioner

versus

Shankar Mukund Madval & ors..... Respondent.

Mr. Pradeep S.Gole for the petitioner.
Shri R.S.Datar i/b D.S.Joshi for respondent no.1.

CORAM; A.P. DESHPANDE, J.
DATED; 26TH SEPTEMBER, 2007

P.C.;

1. Rule. Rule made returnable forthwith. Taken up for final hearing by consent of parties.

2. The order passed by Sub Divisional Officer in Tenancy Appeal No. 28/05 holding that the appellants so also respondents to be the joint tenants in the suit land, is the subject matter of challenge in a revision filed by the present petitioners before Maharashtra Revenue Tribunal. As there is no Presiding Officer manning MRT, the petitioners have filed the instant petition making a limited prayer that the order passed by the SDO be made subject to the final decision in the revision, which is pending on the file of MRT, as the order passed by SDO is already executed. The learned counsel for the

respondent does not oppose the limited prayer that the order passed by SDO will be subject to the final decision in the revision by MRT.

3. In the result the present writ petition stands disposed of by directing that the order passed by SDO in Tenancy Appeal No.28/05 dated 20-3-2007 shall be subject to the decision in the revision pending on the file of MRT. The Writ Petition is acordingly disposed of. Rule made absolute in the above terms.

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